

**Notice of Allowability**

Application No.

10/796,054

Examiner

William J. Klimowicz

Applicant(s)

AOISHI ET AL.

Art Unit

2627

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

***Drawings***

The drawings received on March 10, 2004 are approved by the Examiner.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

***Amendment to Specification***

(i) With regard to page 10 (line 18), the designator "**29a**" has been replaced by the designator **--41a--**.

(i) With regard to page 10 (line 19), the designator "**29**" has been replaced by the designator **--41--**.

(i) With regard to page 13 (line 18), the designator "**42b**" has been replaced by the designator **--41b--**.

***Amendment to Abstract***

With regard to the original abstract filed on March 10, 2004, the phrase "To improve the reliability of an engagement and ejection mechanism of a drive device having an

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accommodating portion for accommodating therein a magnetic disk.” Has been deleted in its entirety, such that only a single paragraph remains.

***Reasons for Allowance***

The following is an Examiner's statement of reasons for allowance:

The prior art of record fails to fairly, teach, show or suggest, by either anticipating or rendering obvious, the invention as set forth in the claims of the instant application.

Furthermore, a search made does not detect the combined claimed elements as set forth in the pending claims. Additionally, the reasons for allowance of the claims over the prior art of record is believed to be readily clear, self evident and apparent from the claim language set forth in sole independent claim 1, when compared and contrasted with the prior art.

More particularly, the instant invention (as set forth in independent claim 1) provides for a drive device having for accommodating a magnetic disk cartridge. The drive device includes a thermoplastic resin cam having an annular groove, the annular groove being constituted by a going section which extends substantially in the direction of the ejection and introduction of the magnetic disk cartridge, an engaging section whose starting position is positioned adjacent to the end position of the going section, and a returning section whose starting position is positioned adjacent to the end position of the engaging section and whose end position is positioned adjacent to the starting position of the going section. A latching member is further

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provided having a latching portion to be engaged with a notch of the magnetic disk cartridge, and a driving shaft which slides within the sliding groove. A resilient member is provided for urging the latching member in the direction ejecting the magnetic disk cartridge, wherein the engaging section includes an engaging corner for engaging the driving shaft and an disengaging corner positioned adjacent the engaging corner. The disengaging corner is selected to satisfy the relationship  $d \leq r \leq 3d$ , where “r” is a curvature of the disengaging corner and “d” is a radius of the driving shaft.

None of the cited art of record teaches, shows or suggests, the particulars of the thermoplastic resin cam having an annular groove, with the aforementioned going section, engaging section and returning section in the manner prescribed by claim 1, wherein a latching member is further provided having a latching portion to be engaged with a notch of the magnetic disk cartridge, and a driving shaft which slides within the sliding (annular) groove, as set forth in claim 1 of the instantly claimed invention.

Moreover still, the cited art of record does not disclose the invention as set forth in the manner, function and relationship relative to other claimed structure as prescribed by the independent claim 1.

Additionally, the cited art of record in single, does not provide, alone or in combination with the other art of record or general knowledge within the art, any suggestion or teaching for the invention as set forth in the independent claim 1.

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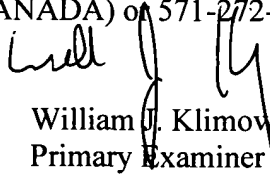
***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
William J. Klimowicz  
Primary Examiner  
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